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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR   | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 09/852,467      | 05/09/2001  | Yevgeniy Eugene Shteyn | US018056            | 6034             |

7590 01/31/2005

c/o PHILIPS ELECTRONICS NORTH AMERICA CORPORATION  
Corporate Intellectual Property  
1000 West Maude Ave.  
Sunnyvale, CA 94085

EXAMINER

SORRELL, ERON J

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2182

DATE MAILED: 01/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/852,467

Applicant(s)

SHTEYN, YEVGENIY EUGENE

Examin r

Eron J Sorrell

Art Unit

2182

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/24/03, 5/9/01.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

Art Unit: 2182

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5, 7, 8-11, 13, 14, 16, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Cunningham et al. (US 2002/0011923 hereinafter "Cunningham").

3. Referring to claims 1 and 7, Cunningham teaches a control system for enabling a controller to control an appliance on a control network, the system comprising:

a module (PLC/wireless bridge) for interfacing the appliance to the network (see paragraph 49), wherein the module obtains identity information from the appliance through coupling with the appliance for enabling the controller to selectively control the appliance through the module (see paragraph 128,

Art Unit: 2182

note the controller controls the initial programming of the wireless appliance).

4. Referring to claims 2 and 8, Cunningham teaches the appliance has an identifier element for being read by the module when coupled with the appliance for assuming the identity (see paragraph 49).

5. Referring to claims 3,9, and 14 Cunningham teaches the identifier element couples in a contact-less manner with the module (see paragraph 49, note the identifier is wirelessly transmitted to the PLC/wireless bridge).

6. Referring to claims 5 and 11, Cunningham teaches the appliance is rendered controllable through a module identifier of the module and through the identity information from the appliance and assumed by the module (see paragraphs 119-121, note the controller cannot communicate with the wireless devices directly, but via the bridge).

7. Referring to claim 10, Cunningham teaches the module (PLC/wireless bridge) is for interfacing the appliance to a power line network (see paragraph 119).

Art Unit: 2182

8. Referring to claims 13 and 16, Cunningham teaches an appliance having a component for storing identity information for being read by a module when coupled to the appliance for enabling to selectively control the appliance through the module (see paragraph 49).

9. Referring to claim 17, Cunningham teaches a method of providing a service to an end-user of an appliance, the method comprising providing identity information of the appliance for being programmed into a module for interfacing the appliance to a control network (see paragraph 49).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2182

11. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cunningham in view of Castleman (U.S. Patent No. 6,054,846).

12. Referring to claims 4 and 15, Cunningham teaches the control network comprises a power line network (see paragraph 38), the appliance has a connector for connecting to the power line network, and the module connects the appliance to the power line network (see paragraph 49, note the PLC/wireless bridge connects the appliance to the power line network).

Cunningham fails to teach the connector (power plug) accommodates the identifier element.

Castleman teaches, in an analogous system, the above limitation (see lines 27-40 of column 14).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system and method of Cunningham with the above teachings of Castleman. One of ordinary skill in the art would have been motivated to make such modification in order to retain certain power parameters used for the device as suggested by Castleman (see abstract).

Art Unit: 2182

13. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cunningham in view of Redgate et al (U.S. 6,281,784 hereinafter "Redgate").

14. Referring to claims 6 and 12, Cunningham fails to teach the appliance is rendered controllable through information about a location of the module on the network.

Redgate teaches, in an analogous system, the above limitation (see lines 35-58 of column 15).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system of Cunningham with the above teachings of Redgate. One of ordinary skill in the art would have been motivated to make such modification so the device can be programmed to only work at the specified location as suggested by Redgate (see lines 35-58 of column 15).

#### **Conclusion**

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following references are cited to further show the state of the art as it pertains to device identification and control in power line networks:

U.S. Patent No. 6,317,028 to Valiulis et al. teaches a system and method for electronic device identification and control;

U.S. Patent No. 5,051,720 to Kittirutsunetorn teaches a remote control system using the power line of the remote site.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eron J Sorrell whose telephone number is 571 272-4160. The examiner can normally be reached on Monday-Friday 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on 571 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
KIM HUYNH  
PRIMARY EXAMINER  
1/26/05